

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, and
THE STATES OF CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE, FLORIDA,
GEORGIA, HAWAII, ILLINOIS, INDIANA,
LOUISIANA, MARYLAND, MICHIGAN,
MINNESOTA, NEVADA, NEW HAMPSHIRE,
NEW JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS, and
WISCONSIN; THE COMMONWEALTHS OF
MASSACHUSETTS and VIRGINIA; and
THE DISTRICT OF COLUMBIA;
EX REL. MICHAEL MULLEN,

Plaintiffs,

v.

AMERISOURCEBERGEN CORPORATION,
AMERISOURCEBERGEN SPECIALTY
GROUP, INC., INTERNATIONAL ONCOLOGY
NETWORK, ONCOLOGY SUPPLY COMPANY,
and MEDICAL INITIATIVES, INC.,

Defendants.

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NOTICE OF INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court that it hereby intervenes in this action to assert certain claims under the False Claims Act and common law as to allegations that AmerisourceBergen Corporation, AmerisourceBergen Specialty Group, Inc., Oncology Supply Company and Medical Initiatives, Inc. caused false claims to be submitted to federal healthcare programs arising from their repackaging and distribution of pre-filled syringes and vials of the drugs Procrit, Aloxi, Kytril and its generic version granisetron,

FILED UNDER SEAL

Civil Action No.
CV-10-4856

(Gershon, J.)
(Go, M.J.)

FILED
U.S. DISTRICT COURT E.D.N.Y.
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BROOKLYN OFFICE

Anzemet and Neupogen. The United States respectfully requests that it be given until October 31, 2017, to file its complaint. The United States further requests that the case remain under seal in all respects until the United States has filed its complaint and the complaint is unsealed, except as otherwise previously ordered by the Court. The United States further requests that the seal extension shall be deemed to be for the benefit of the States, as well as for the United States. Relator consents to this request to maintain the seal.

A proposed order accompanies this notice.

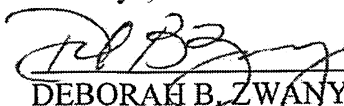
Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

Dated: Brooklyn, New York
August 31, 2017

BRIDGET M. ROHDE
Acting United States Attorney
Eastern District of New York
Attorney for the United States
271 Cadman Plaza East
Brooklyn, New York 11201

By:


DEBORAH B. ZWANY (DBZ7987)
MATTHEW SILVERMAN
Assistant U.S. Attorneys
(718) 254-6010/6409
Deborah.Zwany@usdoj.gov
Matthew.Silverman@usdoj.gov

MICHAEL GRANSTON
JAMIE YAVELBERG
SANJAY M. BHAMBHANI
Attorneys, Civil Division
United States Department of Justice
P.O. Box 261, Ben Franklin Station
Washington, D.C. 20044